Canterbury. Province of. Convocation / Lower House of. 698. f. 1 10

The Pretended Expedient.

In a LETTER to the *AUTHOR.*

Shewing that Title *to be contrary to the* Book, *especially, with Relation to the Right of an* Episcopal *Church.*

Sir,

AMONG all the Books and Papers which have been publish'd about the late unhappy Controversie between the Two Houses of Convocation, no Title so pleas'd me as the *Expedient*; for I was glad to see that any Person thought of an *Expedient*: For whatever your Expedient be, of which more presently, yet, if in such cases the first Attempt don't always prove satisfactory, a second or third may, when Men are in good earnest to find Expedients. This I'm sure all sober Christians, especially the Ministers of Religion, who can't but be sensible of the Mischiefs of such Disputes, which break off all Communication between the Two Houses, and disappoint all the Hopes good Men had conceived from a sitting Convocation, ought heartily to desire, and pray for, and endeavour to their utmost.

Your Proposals shall be considered in due place; but methinks it was a very unfit Preface, to dispute where the Quarrel began, and to charge all the Blame and Scandal of it upon our Superiours; who must be very tame indeed, and not true to the Dignity and Authority of their Order and Station, if they will treat with their Inferiors, and either grant new Rights, or confirm disputed ones upon such terms.

You know, Sir, that there had been enough, I fear a great deal too much, said on both sides of this Argument already, and I wish the whole Dispute could have been kept within Doors; which the imprudent Zeal of some Men, who made it Coffee-House Talk, and carry'd the Accounts of it into the Country, or made it the chief Subject of their Harangues in their Archidiaconal Visitations, would not permit: But whatever Excuse might be made for all this, I could not but think it very improper for an *Expedient*; which should be design'd to heal Breaches, not to exasperate. And therefore though I have many things to say in Answer to you, I will wave them all, and not put you out of you Humor and Inclination to an *Expedient*. Only I must needs say, That all your Account of the Rise and Occasion of this Controversie, (supposing all you say to be true) is not to the purpose. For in all Disputes of *Right*, whatever be the first occasion of the Dispute, the

Denial of the Right is the beginning of the Quarrel; and therefore in ſuch caſes, to diſpute where the Fault lies, is to diſpute where the Right lies; and to vindicate your ſelves from being in the Fault, is to aſſert that the Metropolitan and his Suffragans invaded your Rights, not you theirs; and then an Expedient comes too late, unleſs you can perſuade one ſide to recede from their Right. And yet the Author of *P. L. H.* owns, That the Archbiſhop's Adjournment of the Lower Houſe *in hunc locum*, that is, to the Place where the Upper Houſe ſate, *could not conſiſtently with the preſent Scheme they are upon* (which is no other than the Archbiſhop's Authority as Preſident of the whole Convocation) *be ever diſclaim'd by them.* P. L. H. *p.* 2. *col.* 1.

To prepare the way for an Expedient, we muſt not ſo much conſider how the Controverſie began (which may be by Accident, and without any ill Deſign, as you your ſelf ſometimes very kindly inſinuate) as what the Pretences on both ſides are, and if there be any Medium to reconcile them, it is poſſible to find an Expedient; if there be none, an Expedient is impoſſible.

As to inſtance in our preſent caſe. The Archbiſhop, as Preſident of the Convocation, challenges a Right to continue and prorogue the whole Convocation, at leaſt *cum Conſenſu Fratrum* (for I will not meddle at preſent in that Controverſie, which is nothing at all to the Lower Houſe.) Now if the Lower Houſe challenges a Right of adjourning themſelves, independent upon the Archbiſhop's Authority, here is no Medium to reconcile them; but one of them muſt give up their pretences to Right, and the Diſpute muſt be maintain'd till one ſide yields; which is likely *to take up ſome time*, where there is no Judge between them to decide it.

But if the Lower Houſe ſhould think fit to own the Archbiſhop's Authority, and only repreſent the Inconveniences, as they apprehend, which have or may happen upon the unlimited Exerciſe of this Authority; it is very poſſible, and I believe ſo very honourably of our preſent Metropolitan and his Suffragans, as to think it more than probable, that they would conſent to ſuch a Moderation in the Exerciſe of this Power, that the moſt jealous and frighted Imagination, ſhould apprehend no Danger to the Conſtitution of the Church, or of Convocations.

And yet the moſt plauſible Arguments which are urg'd againſt the Archbiſhop's Power, and for the Right of the Lower Houſe to adjourn themſelves, are nothing elſe but ſuch imaginary Dangers; for I ſuſpect that by this time all their pretences of Precedents are pretty well out of countenance: But the notion of a Houſe (forgetting that it is a *Lower*, that is, a dependent and ſubordinate Houſe) goes a great way; and the danger of dropping Convocations, or of making them uſeleſs when they do meet, by the Archbiſhop's Authority to hinder their forming into a Body, by the choice of a Prolocutor; or to hinder their doing any Buſineſs, by his haſty, or frequent, or long Adjournments, is, as far as I remember,

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the ſum of all they have to ſay, and of what you your ſelf ſay: I will not diſpute this matter now; but only obſerve that the Redreſs of all theſe (whether real or imaginary) Grievances, may very well conſiſt with owning the Metropolitical Authority, and therefore may admit of an Expedient, when an obſtinate pretence of Right will admit of none: And how ready my Lord Archbiſhop and his Suffragans are to ſuch Expedients, was evident in their Condeſcenſion to tell you, that with reference to their Continuations *in hunc locum*, there might be a temper found for it; which implied, that they were willing to find a temper for it, would that have ſatisfied, and is reaſon to hope, that where they ſee juſt cauſe, they would ſhew the like Moderation in other caſes.

Here then we muſt begin, if in good earneſt we think of Expedients, *viz.* in owning the Metropolitical and Epiſcopal Authority; and if at any time we find this Authority unduly exerciſed, not therefore to diſown the Authority, much leſs to diſpute againſt it from all poſſible Abuſes which may happen, which is the Republick Principle; but humbly and modeſtly to repreſent our Grievances, and to pray for a *Redreſs* of preſent Grievances, and ſecurity for the future.

This is abſolutely neceſſary, if we would maintain the Character of Epiſcopal Divines, and the Rights of an Epiſcopal and Metropolitical Church. You are very angry at that intimation that *this Controverſie ariſes from the Oppoſition of Presbyters againſt their Biſhops, which may endanger our Eccleſiaſtical Conſtitution. (Exp. p.* 18. *col.* 2.) And you think it Anſwer enough to ſay, that the Men who are charg'd with this, are well known to be zealous for Epiſcopacy, *to be* Jure Divino *Men, and the high Church-Men, as they are call'd, and that ſome of them by their Attendance on Archbiſhops and Biſhops, were bred up to a great veneration for the Order.* We know this, and wonder ſo much the more, that they ſhould forget their Principles, Profeſſion and Education; but this don't prove that they do not oppoſe their Biſhops, when all the World ſees they do; and therefore I would beg of you to think this over again, and try how you can reconcile your Principle and Practice together.

For 1. If Biſhops be a ſuperior Order to Presbyters, it is certain Presbyters can have no original Right to an independent or co-ordinate Power with their Biſhops; for that is a Contradiction, for Presbyters to be inferior to their Biſhops, and to derive their Authority from them, and yet to be equal to them in thoſe very Inſtances wherein they are their Inferiors; and ſuch I take all the proper Buſineſs of pure Eccleſiaſtical Synods to be. And therefore the Catholick Church for many Ages never admitted Presbyters to vote in their Provincial, much leſs œcumenical Synods, though they did ſometimes admit them to their Debates; and you your ſelves own, that it is a peculiar Privilege, which Presbyters enjoy in our Church, and which they are allow'd in no other Epiſcopal

Church; and methinks this ſhould teach us to uſe it modeſtly; for it is a Privilege of great Advantage, when there are ſuch Numbers of Preſbyters fit for Counſel, Advice, and Government, and excepting their Order, in nothing inferiour to the beſt Biſhops of the beſt Ages of the Chriſtian Church: but yet ſince this is no Original Right, and the Chriſtian Church in the beſt and pureſt Ages of it, was govern'd by a Synod of Biſhops, without admitting Presbyters to ſit and vote with them, there is no Reaſon for ſuch Tragical Outcrys as if Religion and the Church muſt be ruin'd, unleſs the Lower Houſe of Convocation meet and ſit, as often as the Parliament meets: There was formerly Occaſion for this upon Temporal Accounts, which firſt created this Right, but in a well conſtituted Church, there is no Occaſion to make new Articles or Canons every Year, nor is it any Priviledge that I know of for the Clergy to leave their Cures, and loſe their Time in the Town, when they have no proper Buſineſs of Convocation to do; and yet either thus it muſt be, or ſome body muſt judge when there is Occaſion for a ſitting Convocation, and one would think that the Metropolitan and his Suffragans were the moſt proper Judges of this.

2. If the Superiority of Order gives a ſuperiour Power, no Practice or Cuſtom, of what date ſoever, can give Presbyters an independent or co-ordinate Power with their Biſhops, in the proper Acts and Offices of their Order; for ſuch equal Powers muſt ſo far confound the Orders, where the Right has a Divine Sanction, as you will allow the Superiority of Biſhops over Presbyters to have: Whatever Favours may be granted, or prudential Rules agreed on for the Exerciſe of this Power, nothing muſt extend to the deſtroying the Superiority: in Civil Matters, Cuſtom and Practice may create a Right, but can't deſtroy a Right of Divine Inſtitution, and thoſe who pretend a Zeal and Reverence for Epiſcopacy ſhould be jealous of all ſuch Pretences of Right as deſtroy the Epiſcopal Authority. Beſides this, what Presbyters can't claim as an Original Right of their Order, they muſt have by the grant or allowance of Biſhops, which when confirm'd by long and immemorial uſage, grows into a Right; but then ſuch Practices and Cuſtoms muſt never be ſo expounded as to ſet Presbyters upon an equal Level with Biſhops, as they certainly are in Convocation, if they are an Independent and co-ordinate Houſe, which we can never preſume to be intended by Biſhops, when they receiv'd them into Convocation, which their Order did not intitle them to; and yet it is plain enough, that an inherent Power of ſeparate Adjournments makes them an independent and coordinate Houſe.

And therefore, 3. This is the moſt certain Rule for expounding all doubtful Forms of Speech in Convocation Acts. If the Archbiſhop and Biſhops never parted with the Metropolitical and Epiſcopal Authority, in all their Grants to the inferiour Clergy, all Forms of Convocation-Acts muſt be expounded with a reſerve for this Authority. There has been a great

great Diſpute, about the meaning of thoſe Expreſſions, *Prolocutor intimavit Continuationem & Prorogationem*; or *ſignificavit Convocationem eſſe continuatam*, or *prorogavit & continuavit*; and though I think theſe Expreſſions are accounted for beyond all reaſonable Exception from the Acts themſelves; yet till they can prove, that the Archbiſhop and Biſhops have renounc'd the Metropolitical and Epiſcopal Authority over Presbyters in Convocation, none of theſe Expreſſions can ſignify an inherent and independent Power, in the Prolocutor and Lower Houſe to adjourn themſelves, but only a Miniſterial Authority in the Prolocutor, as the proper Referendary, to declare the Archbiſhop's Continuations and Prorogations. The Narrative it ſelf owns theſe Phraſes to be of doubtful Signification, and refers us to the Convocation of 1640, to expound the Acts of the Convocations of 1586, and 1588, as you your ſelf alſo do; but ſuch Expreſſions as may ſignifie an inherent Power, or a meer Miniſterial and declarative Authority, muſt be expounded of one or t'other, according to the Authority of the Perſons to whom they are apply'd; and we muſt not conclude the Nature of the Authority from ſuch Forms of Speech, but muſt learn the Interpretation of ſuch Forms, from the Authority of the Perſon. *Reverendiſſimus continuavit*, or *prorogavit*, nay *intimavit & declaravit*, will alway ſignifie the Authority of the Metropolitan and Preſident which was an acknowledged and undiſputed Authority till laſt Convocation; but the ſame Expreſſions, when appl'yd to the Prolocutor, can ſignify no more Authority, than what the Prolocutor is known to have, which 'till laſt Convocation alſo, was no more then of a Referendary; and therefore his *Continuation*, or *Prorogation*, or *Intimation*, could ſignifie no more than his Authoritative Report, as the proper Officer, of the Continuations, *&c.* of the Preſident, not any Authority of his own. So that it is to no purpoſe to argue from ſuch Expreſſions, which ſignify differently according to the known Authority of that Perſon, of whom they are ſpoke; but if you would lower the Archbiſhop's Authority, and advance the Prolocutor's, you muſt ſhew from other Records when this Change ſo ſtrange and nnknown to the Catholick Church was made, when the Archbiſhop gave away, or loſt his Power, and how the Prolocutor got it.

Thus much I thought neceſſary to convince you, that in the Preſent Caſe an Expedient muſt begin in owning the Authority of the Metropolitan and his Suffragans, and what great Reaſon we have to do ſo; and the want of this, I take to be the great Fault of your *Expedient*, wherein both beginning and ending you aſſert the Right of the Lower Houſe, and your very Propoſals for Accomodation run in the ſame ſtrain; you ſeem willing to ſilence the preſent Diſpute, but to keep up the Claim of Right, which would loſe nothing by a preſent Compliance, while the Precedent of the laſt Convocation remain'd unqueſtion'd. As to conſider briefly your Propoſals.

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The firſt the Archbiſhop has effectually anſwered by a Solemn opening of the Convocation without any Marks of Diſpleaſure. As for your ſecond, I believe both Parties would be glad to have a warmer Room to ſit and debate in, then *H.* VII's. Chapel. Your Third is very Artificial, *That His Grace will be pleas'd to appoint a Committee of both Houſes, and determine the Number of each, as has been uſual.* This is well; but you know, Sir, that in the laſt Convocation, the Lower Houſe refus'd to meet in a Committee of both Houſes of the Archbiſhop's Appointment, and diſputed his Authority to determine the Number.

But what muſt this Committee do? why, *reviſe all the Regiſters, Act-Books, and Journals of both Houſes*, which have been ſufficiently revis'd by more than a Committee of both Houſes, and were never ſo publickly known, as they are at this day, that this Labor might be ſpar'd: but however, this is a greater Favour than the laſt Convocation would allow of, who refus'd the Inſpection of their Books to a Committee of both Houſes. But to what purpoſe is this reviſal of Regiſters, *&c? From them to frame ſuch Reſolutions as being conſented to by both Houſes, may for the Future ſettle ſuch things, as at preſent ſeem diſputable.* But if after all that has been ſaid, and wrote about theſe Matters, they are ſuch diſputable things ſtill; Authority may do much, but 'tis to be fear'd, no Committee will ever ſettle them. But what you add is very promiſing, *and as an acknowledgment of the Archbiſhop's Authority over the whole Convocation, as Preſident, which they have been always willing to ſubmit to (whateverſome may have ſuſpected to the contrary;)* this laſt ſpoils all, for if you own his Authority as Preſident, no otherwiſe than you have always done (for *how willing* you were always to do it, I know not) it is viſible what a kind of Preſident you made him: I could never obſerve any Inclination that way, and you know that the very Name Preſident, as given to the Archbiſhop, has been ridicul'd; though that Author, 'tis preſum'd has not lately lookt into the Act of Parliament before his Common-Prayer Book, which gives that very Title to him.

But let us ſee what a Preſident you make him, and not to tranſcribe a long Paragraph, the ſum of it is this, That you will always adjourn to the day to which his Grace adjourns the Upper Houſe, to be ready to attend him when ſent for: In which you ſtill reſerve the Authority of adjourning to your ſelves, though in good Manners you reſolve always to meet on the day which the Archbiſhop appoints for the ſitting of the Upper Houſe; but likewiſe (for any thing you ſay) on as many intermediate days as you pleaſe. Which I confeſs is notably done, to propoſe the very occaſion of the Diſpute as the terms of Agreement; and a ſingular acknowledgment of the Archbiſhop's Authority, as Preſident of the whole Convocation, to condeſcend to ſit when he ſits; which is a pure act of Grace and Favour: For by the ſame Authority that you ſit, when the Upper Houſe does not ſit, you may refuſe to ſit when they do:

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But in truth his Grace is not much beholden to you for this; for it is the abſurdity of the contrary practice, not Reverence for his Authority, which ſeems to extort this Conceſſion from you, though in contradiction to your darling Power of adjourning your ſelves: For unleſs the Power of Adjournments be in the Archbiſhop, I ſee not how you are oblig'd to meet on his day; and if it be, I know not by what Authority you can meet on any other day; and yet to own a dependance on the Archbiſhop, only becauſe out of pure good Nature you will condeſcend to meet him on his day, when you diſown his Authority of Adjournments, by adjourning your ſelves to other days, is ſuch a Sham (if I may uſe that word) as you ought not to have put upon your Superiors.

Your Fourth Propoſal is a downright denyal of the Archbiſhop's Authority to ſend his Commiſſary into the Lower Houſe, properly ſo call'd, to adjourn you, for that is the plain meaning of it, if I can underſtand it, which is a fair ſtep towards ending the Controverſie, but no Expedient.

In your Fifth you make terms with his Grace and the Upper Houſe about frequent Adjournments, *once or twice a Week, or thereabouts, be it more or leſs.* And what then? Will you own his Grace's Authority to adjourn you? By no means! *But the lower Clergy ſhall think themſelves oblig'd to be as conſtant in adjourning themſelves to the ſame Day.* But this I thought you had before own'd as a ſtanding Rule that you were always oblig'd by, whether the Adjournments were once a Week or once a Month; and now you propoſe new terms to ſecure your Compliance with his Grace's Adjournments: Or do you mean, that upon theſe terms you will renounce all intermediate Seſſions, and meet only on his Grace's day? This is not ſaid, and I doubt that Limitation that follows, *as is found cuſtomary upon the Books*, where you pretend Precedents for intermediate Seſſions, will not admit this Senſe. So that could you give Security for what with ſo much aſſurance you undertake the Lower Houſe ſhall do (which I am ſure you never can) ſhould his Grace comply with theſe terms, he gives up his Authority of adjourning the whole Convocation, and implicitly yields the Right of the Lower Houſe to adjourn themſelves.

Your next Propoſal is of the ſame nature with reference to his Grace's Schedule of Prorogation, which with many Salvo's and Reſerves you are at length contented ſhould be ſent to the Prolocutor, to acquaint him with the day to which the Upper Houſe has adjourn'd it ſelf, and that by the conſent of the Lower Houſe he may adjourn it to the ſame day, but without owning the Schedule to be an authoritative Inſtrument of Adjournment; that is, if the Archbiſhop will be contented to give up his Authority, you will be content to receive a Meſſage from him.

Your laſt Propoſal is *to prevent any long unneceſſary attendance in Town, when the Parliament happens to ſit long*, that after a Month or ſix Weeks ſitting to repreſent your Grievances, you may have leave to retire, and

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then the Adjournment of the whole Convocation ſhall be made in the Upper Houſe, or *H.* VII's Chapel, once a Week, according to antient Cuſtom. I obſerve, that you carefully avoid declaring by whoſe Leave you ſhall retire, and by what Authority the Convocation ſhall be thus adjourned; for if this Leave muſt be granted, and theſe Adjournments made by his Grace's Authority, how comes he to have this Authority to ſend the Houſe home, and to adjourn them when they are abſent, but to loſe this Authority when they meet? For if it be the Authority of a Preſident (and it can be no other) one would think that the Authority of a Preſident primarily relates to a ſitting Convocation, when there is moſt occaſion for it; and that his giving leave to retire, and his Adjournments in ſuch intervals, is only a Branch of his Preſiding Power; and therefore you muſt find an Expedient for owning the Archbiſhop's Power in a caſe which is but an Effect or Conſequence of that Power, which you diſown in its Root and Principle. There is but one thing more I would mind you of, that (eſpecially if you be call'd by the *Præmunientes)* you muſt find an expedient for Dr. *A.*'s Parliamentary Attendance.

Thus, Sir, I have impartially conſider'd your Epedient, and beg of you to conſider it again; and I hope that upon ſecond Thoughts you will not judge it fitting to offer ſuch an Expedient to our Superiours, the Sum of which is no more but this, to give up the Power of the Preſident and the Upper Houſe, and to grant the Lower Houſe all they have been contending for, and then to receive ſome inſignificant Complements, as full Satisfaction. The Name of an Expedient is very popular, and thoſe who do not conſider the Nature of an Expedient, may think it great ſtiffneſs in our Superiours to reject any Offers of Accommodation; I hope, this was not your deſign in writing it; but to prevent any ſuch ill Reflexions upon his Grace and Suffragans, is the true Reaſon why I have given you and my ſelf this Trouble. I heartily wiſh and pray to ſee a happy End of this Controverſy, but had rather it ſhould continue, than Sacrifice the Epiſcopal and Metropolitical Authority, which muſt end in the final Ruin of our Conſtitution. And therefore, I muſt end as I began; Grievances may be redreſs'd, but a Power ſo Eſſential to our Conſtitution muſt not be parted with; and though I dare not preſcribe Terms to my Superiours, yet I dare undertake, that a modeſt Repreſentation of what the Lower Houſe apprehends hard and grievous, or of dangerous Conſequence, would have a kind Reception; and were a Committee of both Houſes appointed for this Purpoſe, it might, through the Bleſſing of God, happily compoſe all our Differences, which is all that Epiſcopal Divines ought to deſire, and is the ſincere and hearty Prayer of

Sir, Your Humble Servant.

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